

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 UNITED STATES OF AMERICA,

2: 10-cr-0578-PMP-RJJ

5 Plaintiff,

ORDER TO CONTINUE TRIAL
AND FINDINGS OF FACT AND
CONCLUSIONS OF LAW

6 vs.

7 LINDA LIVOLSI, aka Linda Grogg,

8 Defendant.

9
10
11 FINDINGS OF FACT

12 Based on the pending stipulation of counsel, and good cause appearing therefore, the
13 Court hereby finds that:

14 1. Counsel for Defendant needs additional time to prepare for trial in this case due to
15 Defendant's medical condition. The Parties also need additional time to continue exploring full
16 resolution of the matter without going to trial.

17 2. The Defendant and the Government agree to the continuance.

18 3. Defendant is not in custody and does not object to a continuance of the trial date.

19 4. Denial of this request for a continuance could result in a miscarriage of justice.

20 5. The additional time requested by this stipulation is excludable in computing the
21 time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C.
22 §§ 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and
23 3161(h)(7)(B)(iv).

24 CONCLUSIONS OF LAW

25 1. For all of the above-stated reasons, the ends of justice would best be served by a
26 continuance of the trial date.

KOLESAR & LEATHAM, CHTD.
3320 West Sahara Avenue, Suite 380
Las Vegas, Nevada 89102
Tel: (702) 362-7800 / Fax: (702) 362-9472

2. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), when considering the factors under 18 U.S.C. §§3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the calendar call presently scheduled for June 21, 2011 at 9:00 a.m. be vacated, continued and reset for _____, at the hour of 9:00 a.m. in Courtroom 7C.

IT IS FURTHER ORDERED that the trial currently scheduled for June 28, 2011 at 9:00 a.m. is vacated, and that Defendant and counsel are advised that they must be present for trial on _____, at the hour of 9:00 a.m., in Courtroom 7C.

DATED this ____ day of _____, 2011.

UNITED STATES DISTRICT JUDGE

Submitted by:


Matthew T. Dushoff, Esq.
Nevada Bar No. 004975
Michael D. Davidson, Esq.
Nevada Bar No. 000878
KOLESAR & LEATHAM, CHTD.
400 S. Rampart Blvd., Suite 400
Las Vegas, Nevada 89145
Telephone: (702) 362-7800
Facsimile: (702) 362-9472
E-Mail: mdushoff@klnevada.com
mdavidson@klnevada.com

Attorneys for Defendant Linda Livolsi

KOLESAR & LEATHAM, CHTD.

3320 West Sahara Avenue, Suite 380

Las Vegas, Nevada 89102

Tel: (702) 362-7800 / Fax: (702) 362-9472